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I hereby certify that this document and the documents indicated as enclosed herewith are being sent by facsimile transmission to the United States Patent and Trademark Office on the date set forth below.

November 3, 2005

Date

  
Mark B. Eisen  
Registration No. 33088

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/753,423

Filing Date: January 9, 2004

Applicant: Jim Pratt

Title: GUARD RAIL SYSTEM

Examiner: Hong, John C.

Attorney's Ref.: 1315-10/JLW

**AMENDMENT**

In response to the Official Action

Dated: August 10, 2005

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
U.S.A.

Dear Sir:

REMARKS

The applicant submits herewith a Terminal Disclaimer to overcome the double-patenting objection based on U.S. Patent No. 6,702,259, which is commonly owned with this application.

The Commissioner is authorized to charge our Deposit Account No. 500663 in the amount of \$65.00 in payment of the fee as required by 37 CFR 1.20(d).